Volume 11, No. 2 Fall Number, 1922

Bulletin of Friends' Historical Society of Philadelphia

CONTENTS

PAGE

Buckingham Meeting House in 1922.....*Frontispiece*
Buckingham Meeting House.....Henry D. Paxson 57
Annual Meeting (Winter), 1921..... 61
Summer Meeting, 1922..... 63
Journal of John Woolman, Rancocas Edition..... 64
Baltimore Yearly Meeting, CCL Anniversary,
Amelia M. Gummere 65
A George Fox Manuscript..... 68
Penal Institutions of Pennsylvania (Concluded),
Harry E. Barnes 68
Items from Periodicals..... 84
Book Notices and Reviews..... 90
Notes and Queries..... 99
Quaker Necrology..... 102

NOTE.—The editor does not hold himself responsible for any statement made in contributed articles.

Communications concerning editorial matters should be addressed to Editor, BULLETIN OF FRIENDS' HISTORICAL SOCIETY, Haverford College, Haverford, Pennsylvania.

Dues and subscriptions should be paid to Treasurer, FRIENDS' HISTORICAL SOCIETY, 142 North Sixteenth Street, Philadelphia, Pennsylvania.

Subscription price, 50 cents per number, $1.00 per annum. All members receive the BULLETIN without extra charge.

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Editor, *pro tempore,* of the Bulletin, Rayner W. Kelsey, Haverford College, Haverford, Pennsylvania.

Notice to Members.

The Membership Committee would call the attention of the members of the Historical Society to the fact that our activities could be greatly expanded if we had a larger membership.

Any member of the Society of Friends and also non-Friends are eligible for membership and the Committee would welcome nominations. Kindly forward such nominations to the Chairman of the Membership Committee, Francis R. Taylor, 918 Stephen Girard Building, Philadelphia, Pennsylvania.

Annual membership dues, $2.00. Life membership, $50.00.

BUCKINGHAM MEETING HOUSE.

From an address by Henry D. Paxson, at the Summer Meeting of the Friends' Historical Society of Philadelphia, held at Buckingham, Pennsylvania, Sixth Month tenth, 1922.

(Henry D. Paxson, in his address, made a "pilgrimage" back into the colonial period of Buckingham and Bucks County. He pictured the early settlements, the roads, the Indians, and other phases of frontier life. On the history of Buckingham, and of the old Meeting House, he spoke as follows:)

The name Buckingham comes, of course, from old England and was always dear to the founder. It was first given to what is now Bristol Township and Bristol Borough and was then known as "New Buckingham." Upon the formation of the borough, called Bristol, the second chartered borough in Pennsylvania, the name of the township was changed to conform to that of the borough. This left Buckingham unappropriated, but it was very soon taken over by the settlers in this section, some of whom came from Buckinghamshire, England.

As originally constituted, Buckingham was an immense township, being associated with Solebury under one jurisdiction. It extended from the Delaware on the east to about the Neshaminy on the west. Its north line was near the Plumstead Hills. The south line ran some two miles north of Wrightstown Meeting House. Some time after 1700 Buckingham and Solebury were separated. Solebury takes in all of that part of the township east of the State Road, some few hundred yards east of the Meeting House. Still, with Solebury taken away, Buckingham remains the largest township in the county and is familiarly known as the empire township. The settlers of this section were almost entirely Friends and had been members of Falls Meeting. Previous to the building of a meeting house they held their meetings at private houses. Dr. James Streater, an Englishman—I believe he never

came to this country—obtained from Penn in England a grant of 500 acres of land in Pennsylvania which was located here. Out of this tract Streater conveyed to Friends of Buckingham 10 acres on which to build a Meeting House and for graveyard purposes. At that time this valley was covered with primeval forest, with the exception of these ten acres, which, tradition has it, was an opening or clearing in the wilderness—an Indian field where the aborigines had, for a long time prior to the advent of the whites, practiced their rude form of agriculture. Here on a grassy slope on the western side of the present graveyard, and about 100 feet from the western wall, Friends built their first Meeting House. It was constructed entirely of logs. It was commenced in the year 1705, and not being finished by the 1st Month, 1708, they were called to account by Falls Meeting for the delay. The communication referred to a number of omissions and concluded with an admonition "to get done with speed."

About this time Friends petitioned to have window-glass put in, and not until William Biles and Joseph Kirkbride, two of the more opulent members of the Meeting, I assume, volunteered to pay the expense was this luxury allowed. This Meeting House served its purpose until 1720, the time of the establishment of the Monthly Meeting here, when it was enlarged by a frame addition. General Davis calls this a new Meeting House, but I think he is in error, as the Minutes plainly state it was an enlargement. If General Davis is right, there will have been four Meeting Houses here. I think there were only three, and that is enough for a good story.

The second Meeting House of stone was built in 1731, a little farther up the graveyard and some 30 feet back from the southern wall. Joseph C. Watson, clerk of this Meeting, will show those interested where the old gateway was walled up when this Meeting House was abandoned. This Meeting House was totally destroyed by fire on the 8th day of the 4th month, 1768, while the Meeting was in session. A passerby on Old York Road, observing smoke and flames ascending from the roof, ran up to the Meeting House and, opening the door, disturbed the solemnity of their meditations by crying out in a loud voice—"Fire! Fire! Friends, your house is on fire!"

The third Meeting House, this present structure, was built in the summer and fall of 1768. It is 40 feet wide and 70 feet long, two stories high, of grit stone from this neighborhood, narrow-pointed with mortar made from wood-burnt lime. Around the eaves and across each end there runs a deep concave plastered cornice, which adds much to the architectural beauty of the building. In the interior you will notice a balcony, which forms a sort of second story. It is divided in the middle with a partition made up of a curious arrangement of doors, shutters, and panels, which open or shut or slide or revolve. You will notice those large panels in the second story which are carefully poised on cross-timbers so arranged as to be opened and closed by the pulling of a rope. The interior woodwork is of white cedar, which has never been despoiled by the painter's brush. It has long been a matter of debate where this material came from. It is believed that white cedar was not native of this section. The late Thaddeus S. Kenderdine, of Newtown, himself an historian and lumberman, told me that rafting on the Delaware did not start until years after the erection of the Meeting House, which would preclude the material coming down the river by rafts. His belief was that the material was hauled all the way from the southern part of New Jersey. The benches are of poplar, a softer wood, which has yielded to the boy's jack-knife. Many of them contain the hieroglyphics of past generations. In my boyhood days the Meeting House was heated by two mammoth cast-iron wood stoves. They were about 6 feet long, 4 feet high, and 2 feet wide, with a door in one end, which would take in a cord-wood stick. They rested on brick foundations. I believe they were cast at the Durham Iron Works. It is to be regretted that years ago they were discarded and replaced by these modern Spear stoves.

The total cost of this building was £736, 14s., and 1½d., Pennsylvania currency, or about $1,900. With the exception of a new portico on the east end, the repointing of the east end, and a new roof, this building stands today just as it was built 154 years ago this summer, a monument to the careful building of our forefathers.

The master builder of this Meeting House was Matthias Hutchinson. He was a member of this Meeting and held many important positions of trust. For two terms he was an Associate Judge of the Bucks County Court. Judge Hutchinson was a man of many parts and, if need be, could turn his hand to diplomacy, as this little incident I will relate would indicate: When the Meeting House was about completed, Judge Hutchinson asked the committee for permission to place on a stone in the building the letters "M. H.," the initials of his name. This was in accordance with the custom that had long prevailed in this county. When stone buildings were completed, it was usual to place on a stone in the gable end the name of the owner and the date of building. In addition to this, workmen very often chiseled upon separate stones the initials of their names. Many houses, barns, and other buildings throughout this county are so marked. The committee took the matter under advisement and finally concluded that friend Hutchinson's request savored too much of the monumental and it was denied. Hutchinson let the matter rest awhile and again came back to them and stated that he thought it would be well to have a stone in the gable of the building with 1768 on it to show when the building was built, and, inasmuch as there had been some talk of building a schoolhouse later on, he suggested that it would be well to put the letters "M. H.," to stand for Meeting House, to contradistinguish it from the schoolhouse. Friends, not seeing the point, gave consent. The stone remained there a long time, until finally, one day, I assume, Judge Hutchinson chuckled too loud, and Friends made the discovery that M. H. not only stood for Meeting House, but also for Matthias Hutchinson, and the stone came down and was replaced by the present stone, bearing simply the date, 1768.

During the Revolutionary War this Meeting House for a considerable time held an important place as a hospital, used perhaps more than others from its convenient location on an important highway upon which troops were continually marching back and forth. When not too crowded with patients, it was also used for meeting purposes; the soldiers putting one end in order and many of them attending the Meeting. One Meeting, however, was not

held here. The Monthly Meeting of the 1st day of the 12th Month, 1777, was held in Thomas Ellicott's blacksmith shop, owing, as the records state, to the fact that the Meeting House was given over entirely to the soldiers for hospital purposes, while down on the meadow bank, at the foot of the hill, also the Meeting House property, tents were erected for small-pox cases. Many soldiers died here and were buried in a plot by themselves on the bank along York Road, just beyond the little stone horse stable and some seventy feet from the Meeting House door.

In 1856 the Turnpike Company regraded Buckingham hill and in doing so exposed the bones of several of the soldiers. These were carefully collected and reinterred in a safer location back from the roadside.

In this very Meeting House, all about where you sit today, many a poor soldier breathed his last and was laid to rest, in an unmarked grave, without the walls of the graveyard, his only monument those primeval oaks that have stood watch and warder over him all these years. Today, in your pilgrimage to Buckingham, you are honoring the memory of these brave men who at that early day gave their lives to uphold what they believed to be the principles of human liberty—gave their lives, as we would say today, for an ideal, the giving of which always ennobles a nation.

ANNUAL MEETING, 1921.

On the evening of Eleventh Month 28th, 1921, the Annual Meeting of the Friends' Historical Society of Philadelphia was held in the Twelfth Street Meeting House.

The President, Lucy B. Roberts, gave a brief report of the activities of the Society for the year. Of especial importance was the announcement that desk room had been granted at the Friends' Library, 142 North Sixteenth Street, Philadelphia, which will hereafter be the address of the Society.

Officers were elected as stated on page 56, above.

After the business had been transacted, various members of the Society exhibited manuscripts and other articles of historic interest, explaining briefly in each case the origin or significance of the

object shown. The following is a list of the exhibitors and the things exhibited:

Biddle, James.—Marriage certificate of John Biddle (1707–1789) and Sarah Owen, dated Philadelphia, First Month 3rd, 1763.

Brinton, Walter.—A surveyor's compass with the following inscription: "Made by Benjamin Rittenhouse for Enos Thomas."

Cadbury, Richard T.—Bible of Richard Tapper, probably with him in Southgate Prison, Exeter, in 1683; 14 volumes of diary letters written by Ann Warder, Philadelphia, 1786–1788, describing social life of the younger married Friends of that day; an old box for holding church-warden smoking pipes.

Eastburn, Samuel C.—Old manuscripts, including: 25 sheepskin indenture deeds for lands in Bucks County, Pa., 1682–1688; receipts by Thomas Penn for commuted quit-rents, 1729–1731; store account books of Joseph Richardson, 1731–1735. Also old books.

Emlen, James.—A large glass tumbler, about ten inches high, bearing on the side arms of the Commonwealth of Pennsylvania, and the words, "Virtue, Liberty and Independence"; also, "New Bremen Glass Manufactory, 1791." The piece once belonged to Anne Guest, an ancestress of the present owner.

Jenkins, Margaret.—A sampler, worked by Elizabeth Guest, showing a great variety of beautiful embroidery stitches.

Myers, Albert Cook.—Bronze handle of a knife. *See* frontispiece and article, pp. 29–31, in the BULLETIN, Spring Number, 1922.

Paxson, Henry D.—A tomahawk presented to James Logan by an Indian chief as a token of friendship.

Rhoads, Samuel N.—Choice items from his bookshop, including Francis Bugg's "A Bomb Thrown Amongst the Quakers in Norwich."

Saunders, Jennie C.—Letter book of Joseph Saunders (1712–1792) covering the years 1766–1775 with valuable references to the Stamp Act, the Townshend duties, and the non-importation agreements.

Scattergood, Anne Theodora.—Journal written by Mary Wheeler in 1806 describing a journey from Philadelphia to New York by sailing-packet and carriage.

Turner, Joseph Brown.—A power of attorney granted in 1711 by William Penn and others to Edward Shippen and others, authorizing the sale of the Province of Pennsylvania, also the town of Newcastle and lands southward along the Delaware River. The document is of sheepskin and the names of the parties of the first part are singularly well preserved, although happily the conveyance was never completed.

Vaux, George, Jr.—A cane, with carved ivory top, that belonged formerly to Daniel Smith (1665–1742), of Burlington, N. J.—Also a cane of John Head, Jr. (1723–1792).

THE SUMMER MEETING, 1922.

The Annual Summer Meeting and Excursion of the Friends' Historical Society of Philadelphia occurred at Buckingham, Bucks County, Pennsylvania, on Seventh day, Sixth Month tenth, at half after three o'clock.

About two hundred people, arriving by automobiles, and by train to Bycot station, assembled in the quaint old meeting house.

The beautiful, well-preserved stone building in its setting of grand old trees, with the peaceful burying ground in the rear, sheltered by the surrounding hills, made an ideal gathering place.

Lucy B. Roberts, President of the Society, in her opening remarks referred to the fact that the Society now has an office in the Friends' Library, 142 North Sixteenth Street, Philadelphia. A sign on the door locates it as the headquarters of the Society.

In the absence of the Secretary, Caroline W. Smedley was invited to serve in that capacity for the day.

Henry D. Paxson addressed the Society on "Buckingham in Revolutionary Times." (See p. 57, above.)

The second paper on the program was read by B. F. Fackenthal, Jr., on "Durham Iron Furnaces." The well-known Durham Iron Works are as old as the Buckingham Meeting. Durham is in the extreme northeastern section of Bucks County on the Delaware River. Its white settlers arrived perhaps as early as 1682. The greater part of the land was granted by William Penn to his Secretary, James Logan, who deeded it to the Durham Iron Works.

The date stone of the original blast furnace is marked 1727. The discovery of iron ore in the hills led to its establishment. As James Logan owned one quarter of the business at that time, it is quite probable that the fire backs at his mansion, "Stenton," were made at Durham. Pig iron, cast iron, stove plates, and shock shells were also made there. The last blast of the old furnace was in 1789, after which it was used as a grist mill. In 1830 the furnaces were opened again, and modernized in 1876. The plant was dismantled in 1912.

One modern furnace in one month produces more iron than did the Durham furnace of 1727 in sixty-two years. It is likely that

the day will come when the mines, only one half a mile from the Delaware River, will be reopened. (See note at end of this article.)

Amelia M. Gummere gave an encouraging report of the publication of the Rancocas edition of John Woolman's Journal, which has for some time been in preparation. (See article below.)

After an invitation for new members to join the Society, the meeting adjourned to the beautiful ancestral home of Henry D. Paxson. By his courteous invitation, a picnic supper was enjoyed on the spacious lawn, the charming garden was visited and admired, as was his rare collection of antiques and historical relics.

The Society would use this opportunity to minute its appreciation and to express its thanks to Mr. and Mrs. Paxson for their hospitality, and also to thank all others who aided in the success of the afternoon.

CAROLINE W. SMEDLEY,
Secretary pro tem.

BIBLIOGRAPHICAL NOTE: The paper read by B. F. Fackenthal, Jr., was printed in *The Daily Intelligencer,* Doylestown, Pa., June 21, 1922, p. 4. See also articles by the same author in *Proceedings of Pennsylvania German Society,* 23: 7–22; *Bucks County Historical Society Papers,* 4: 55–61. See also chapter by Amelia M. Gummere on the Durham Furnace, in *Forges and Furnaces of the Province of Pennsylvania* (1914), pp. 43–57. Also Henry C. Mercer, *The Bible in Iron* (1914): refers to stove plates made at Durham,—177 pages, 244 illustrations.

RANCOCAS EDITION OF THE JOURNAL OF JOHN WOOLMAN.

Readers of the BULLETIN will be interested to know that this notable addition to Quaker historical literature is in prospect for the near future.

This new edition of the Journal of John Woolman is now in the hands of the printer and will be brought out by The Macmillan Company in the autumn. Important material which has been discovered regarding the life and work of Woolman justifies the

length of time — nearly ten years — which the devoted editor, Amelia Mott Gummere, has given to its preparation.

The manuscript of the Journal will be reproduced as it stands and will contain material never before printed, as, for instance, four dreams, the only case in which John Woolman ever went to law, and a paragraph on inoculation, together with a little Essay on *Trade*. Manuscripts still at Almery Garth, York, where he died, have furnished new material, and court records and surveys show him as a busy surveyor and conveyancer. The old myths of Woolman's illiteracy and poverty are thoroughly dissipated, and he is shown to be an intelligent and efficient citizen, with a much broader outlook on life than ignorance can justify. Not the least interesting feature is the reproduction of a memory drawing of the Journalist by a contemporary. An extended biographical introduction sets forth the outstanding facts of a very interesting life, and biographical notes of the persons mentioned, together with a very full bibliography, give the student of Woolman the material for a social study of the first importance.

This volume should grace many a Christmas reading table and the shelves of all good libraries.

CCL.

THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF THE FOUNDING OF BALTIMORE YEARLY MEETING, MAY 4TH TO 7TH, INCLUSIVE, 1922.

The Quakers were among the earliest settlers in America, but many of the good people of these middle states think of William Penn as the pioneer. Our histories teach us that New England is the home of freedom and religious liberty, and that the Puritans came to escape from religious persecution. But New England was also the only country in the world where the Quakers were officially put to death by the Commonwealth for religious non-conformity. If Mrs. Hemans was justified in singing of those who found "Freedom to worship God," it was a freedom which they denied to everybody else.

Sandwich Yearly Meeting, Massachusetts, where the Quakers met in the secret of Christopher's Hollow, still pointed out to the tourist, is the oldest Yearly Meeting in the United States, dating from 1666. Its record is one of enterprise and courage; of spiritual exaltation and enthusiasm; of persecution, torture and even of death.

But the Quakers who came to Maryland—and some of them were settled on Kent Island, Queen Anne County, on the Eastern Shore as early as 1658

—are the only ones in this country who can claim that their own meeting was established by George Fox, their founder, in person. It should be emphasized also that Maryland was the colony to which they had been welcomed by its Roman Catholic Governor, and the spirit of toleration was reciprocated in the charter of William Penn when he founded his Quaker colony. Ten years before William Penn came to the Delaware, a "General Meeting" of Friends or Quakers was held in April, 1672, at West River, on the Patapsco, the spot where, on May 7th last, some four hundred and fifty Friends and their visitors from all over the United States and from England, met to observe the 250th anniversary of that event.

George Fox's friend and fellow preacher, John Burnyeat, had preceded him and announced his arrival in America. This great "General Meeting" is described by Fox in his Journal as "a very large meeting, and held four days, to which, besides Friends, came many other people, divers of whom were of considerable quality in the world's account." Afterward they had a meeting for church discipline, the first in Maryland for that purpose.

George Fox came up the Delaware after this, and visited all the meetings as far as New England, remaining a year. He passed through the Jerseys both going and returning, and describes swimming his horse over the river from Burlington to Bristol. He went directly south, and was at West River again on the "17 of 3d. month (May)" 1673. He sailed on the twenty-first for England, so that this meeting of West River was the first and last visited by the founder of Quakerism, when in this country. The meeting thus started has met continuously every year since, although its home has been alternately at West River and Thirdhaven. It met at the latter place only for a time, and at "Baltimore Town" in 1785. Since then, with a few alternate years at the old site, it has met continuously in Baltimore.

Upon the occasion of the anniversary, to which nearly all the Yearly Meetings sent several delegates, both branches of Friends forgot that there had ever been differences of opinion, and another four days of edifying companionship revived the charge of the founder, "Friends, mind the light." On the evening of the 4th, a large gathering at the Park Street meeting house was welcomed by Dr. O. Edward Janney, and greetings from other denominations were extended. Father Smith, special delegate from Archbishop Curley, again welcomed the twentieth century Quakers for the Roman Catholic Church. The letter from the Archbishop, who was in Florida, was most impressive. Dr. Hugh Birckhead, one of the ablest of the Episcopal clergy in America, gave us a fine address, in which he announced himself a descendant of Christopher Birckhead who settled on the Choptank River, and was referred to as one of the persecuted Quakers by the historian, Besse. His address was both sympathetic and inspiring. Dr.

Birckhead was followed by Dr. L. W. McCreary, executive secretary of the Baltimore Federation of Churches, who spoke for twenty-one denominations. He emphasized truth as the keynote of Fox's teaching, as it should be of ours today, and said that in a crisis the Quakers were never found wanting.

The chief address of the evening was the scholarly paper of Elizabeth B. Emmott on the "Founding of Quakerism." Her presence was as representative of London Yearly Meeting, and her setting forth of the beginnings of Quakerism in England held her audience in closest attention to the end. We hope to see the paper published.

Next day, motors were at the service of those who wished to see the beautiful suburbs of the city, and at 11.15 a.m. exercises in the Park School were followed by an able address to the pupils, who were given the opportunity because of its historical importance. Dr. Elbert Russell made a brief review of the rise of Quakerism, which was full of interest to all his hearers. An elegant luncheon followed at the new Homewood meeting house, which was recently completed and is such a wonderful example of perfect symmetry, simplicity and beauty that it merits a paper by itself. A large meeting was held there in the afternoon, at which the various delegates responded to the call by Yearly Meetings, from London to Vancouver. Frederick J. Libby, of Washington, D. C., closed the exercises with an address on "Our Duty to the People."

A "Pageant of Quakerism," given in the new hall of the Maryland Casualty Company, presented to an audience of over twelve hundred a series of a dozen motion tableaux depicting outstanding events in the history of the sect from the days of Fox. The setting and the artistic presentation were admirably done, with a smoothness that showed the practice and work involved, especially to those familiar with such an undertaking. The half hour preceding the performance was filled with what many had looked forward to as a great privilege, when Eugene W. Wyatt, the eminent organist and choirmaster, gave a recital on one of the finest organs in this country.

Next day, the Sixth, was filled with an all-day excursion by boat to the site of the old meeting at West River, and although skies were ominous, the rain did not materially interfere with the trip and the return was made with a brilliant sunset to greet us. An oak tree was planted in the old graveyard which is all that is left on the spot, except the giant oaks which may have overshadowed the little group when George Fox preached to them. In the small hall of the village, half way between the landing and the graveyard, all who could squeeze within heard addresses by Lucy Meacham Thurston, on "Quakerism in Maryland," and by Dr. Elbert Russell on "The Influence of Friends on Colonial Life."

The closing exercises on the 7th, which was the First of the week, included special visits to the Bible Schools, Meetings at 11 a.m. in the meet-

ing houses, and addresses at 3 p.m. on William Penn, by Governor Sproul, of Pennsylvania, and at 3.45 by Dr. Jesse H. Holmes, of Swarthmore College, on "The New Social Order." At 8 p.m. in the Homewood house Dr. Rufus M. Jones addressed a large meeting on "The Message of Christ to the World Today."

The visitors came away with vivid impressions of the importance of the occasion, the warmth and extent of the abounding hospitality shown them throughout the entire period, and most of all, the vast possibilities, in the light of the past, which open out in the future before the really devout and dedicated "Children of the Light."

AMELIA MOTT GUMMERE.

A GEORGE FOX MANUSCRIPT.

By the kindness of Anna S. D. Hall, of Frankford, Pa., an interesting and valuable manuscript written by George Fox has been placed in the library of Haverford College.

It is subscribed, "gff. his paper to the king 1660." It is a scriptural defense of Friends for refusing to take oaths, and a denial of "all plotes, murderes & tumoltus meetings against the king or any of his subjects."

Norman Penney connects the paper with the Fifth Monarchy outburst and the fact that the government classed Friends with that movement. See *Journal of George Fox* (Camb. ed.) 1: 388 and note 1.

Anna S. D. Hall received the manuscript in the papers of her grandfather, Thomas Scattergood (1802–1883). There is a facsimile of the manuscript (which omits a few unimportant, inter-lined words) subscribed, "S. L. Smedley, Philada. 1868." A copy of this facsimile is in the Library of the Historical Society of Pennsylvania, Philadelphia.

R. W. K.

THE CRIMINAL CODES AND PENAL INSTITUTIONS OF COLONIAL PENNSYLVANIA.

BY PROFESSOR HARRY E. BARNES

Clark University, Worcester, Massachusetts.

II. THE PENAL INSTITUTIONS.

1. *The Origins of the Colonial Penal Institutions.*

In a manner very similar to the development of the criminal codes in the colonial period, the evolution of penal institutions in provincial Pennsylvania passed through three main stages of evolution. The typical detention jail of contemporary England was provided for in the Duke's laws of 1676. This institution was replaced by the Quaker workhouse, or house of

correction, in 1682, and the workhouse remained for about thirty years the basis of the system of penal institutions. After 1718, however, when the criminal code was altered so as to substitute corporal punishment for imprisonment in most instances, the jail reappeared and became the conventional penal institution of the province until the close of the colonial era. Even the few workhouses which remained or were constructed later were not penal institutions, but a part of the system of social relief designed for the repression of vagrants, paupers and unruly servants. But the theory and practice of imprisonment and the workhouse were not lost and both were speedily revived after the Revolution.

The first legislation relative to penal institutions in Pennsylvania occurs in the laws of the Duke of York, promulgated on September 25, 1676. Here it was decreed that,

> Every town shall at their charge provide a pair of stocks for offenders, and a pound for the impounding of cattle; and prisons and pillories are likewise to be provided in these towns where the several courts of sessions are to be holden.[1]

There was thus introduced into the province the conventional English detention jail of the period. It was simply an institution for the "safe-keeping" of accused persons during the interval between meetings of the court. As has already been pointed out, the penalties imposed by the code of 1676 were almost exclusively fines or corporal punishment and there was no need for penal institutions adapted to the permanent imprisonment of criminals. If the provisions of the above clause were carried out, there must have been three of these detention jails or prisons in Pennsylvania from 1676 to 1682, as court was held at New Castle, Whorekill, and Upland.[2] From the very beginning of Penn's administration the detention jail was supplanted, in law, at least, by the workhouse or house of correction as the basic penal institution. Even in the laws which Penn and his fellow Quakers had "agreed upon in England" in May, 1682, it was declared that "all prisons shall be workhouses for felons, vagrants, and loose and idle persons; wherof one shall be in every county" and that "all prisons shall be free, as to fees, food, and lodging."[3] It should be noted that, under Penn's application and interpretation, the workhouse became a true penal institution no longer limited to the treatment of the destitute and vagrant classes.

The above provisions were enacted with some slight changes as a part of the "Great Law" of December, 1682. Here it was stipulated that,

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[1] *Charter and Laws*, p. 47.

[2] G. E. Howard, *Local Constitutional History of the United States*, pp. 368–70.

[3] *Charter and Laws*, p. 100. It is generally asserted that Penn derived his convictions as to the value of imprisonment and the workhouse system from his early travels in Holland, where he had observed the use of the workhouses as agencies for the repression of pauperism and for the employment of prisoners detained for trial. Richard Vaux, *Brief Sketch of the Origin and History of the State Penitentiary for the Eastern District of Pennsylvania*, p. 28.

All prisons shall be workhouses for felons, thiefs, vagrants, and loose, abusive and idle persons, whereof one shall be in every county.

Gaolers shall not oppress their prisoners, and all prisons shall be free as to room, and all prisoners shall have liberty to provide themselves, bedding, food, and other necessaries, during their imprisonment, except such whose punishment by law, will not admit of that liberty.[4]

The detention jail was not eliminated by this enactment, to be sure, as it had to be retained for holding accused persons for trial.[5] With the single exception of the law of November, 1681, in the neighboring Quaker colony of West Jersey, this act of December 1682 in Pennsylvania may be regarded as the first instance of the fusion of the workhouse and the prison and the consequent creation of the basis of the modern prison system.[6] The nearest competitor for chronological priority was Pope Clement XI, who, in 1704, established a combination prison and workhouse at San Michele in Rome.[7]

In the supplement to the "Great Law," which was enacted by the assembly in March 1683, there was a more specific and compulsory clause relating to the construction of workhouses. It was provided,

That every county within this province of Pennsylvania and territories thereunto belonging, shall before the last day of the tenth month, next ensuing, at their own cost and charge, erect, build or cause to be built in the most convenient place in each county, respective, a sufficient house, at least twenty foot square, for restraint, correction, labour, and punishment of all such persons as shall be thereunto committed by law; and that every county failing herein shall forfeit and pay forty pounds, to be levied on the goods and chattels of the inhabitants of such county.[8]

The provisions of the laws of 1682 and 1683 with respect to workhouses were retained without change in the laws promulgated by Governor Fletcher in June 1693.[9] They were also confirmed and retained without alteration in the laws of November 27, 1700,[10] and January 12, 1706,[11] with the exception that in 1706 an allowance of two pence per day was made for the support of each prisoner. It was also stipulated in 1706 that the jails should serve as workhouses until the latter should be erected. From this provision and from many other sources of evidence it must be concluded that even before 1718 there had come about a differentiation between the workhouse and the jail, with the latter the more common institution of the two. When the criminal code was altered by the act of May 31, 1718, and fines and corporal punishment were substituted for imprisonment as the typical mode of punishment, the workhouse tended to disappear, and, where

[4] *Charter and Laws*, p. 121.
[5] *Charter and Laws*, p. 120.
[6] *New Jersey Prison Inquiry Commission*, II, 34, 351 note.
[7] Wines, *Punishment and Reformation*, pp. 121–2.
[9] *Charter and Laws*, pp. 202, 208.
[8] *Charter and Laws*, pp. 139–40.
[10] *Statutes at Large*, II, 99–100.
[11] *Statutes at Large*, p. 243.

it was retained, became an institution for repressing vagrants, paupers and incorrigible servants rather than a true penal institution. It seems that it was in Philadelphia alone that the workhouse was retained throughout the greater part of the provincial period somewhat according to the original conception of Penn. As the jail or county prison was much the more usual institution and the real basis of the penal system of provincial Pennsylvania from 1718 to 1776, attention will next be directed to the mode of the legal organization of the county jail system.

2. *The Legal Foundations of Colonial Penal Institutions.*

The first complete organizing law creating a county jail in Pennsylvania was that of March 20, 1725, which decreed that a courthouse and a jail should be erected in Newtown in Bucks county. As this act became the model for all subsequent acts authorizing the erection of county jails, it is worthy of an extended analysis. It was declared that,

> It shall and may be lawful to and for the said Jeremiah Langhorne, William Biles, Joseph Kirkbride, Thomas Watson, and Abraham Chapman or any three of them to purchase and take assurance to them and their heirs a piece of land situated in some convenient place in the said township of Newtown, in trust and for the use of the said county, and thereon to erect and build or cause to be built, a courthouse and prison sufficient to accommodate the public service of the said county and for the ease and conveniency of the inhabitants.
>
> For the defraying the charge of purchasing the land, building and erecting the courthouse and prison aforesaid, it shall and may be lawful to and for the commissioners and assessors of the said county or a majority of them, who are hereby required to assess and levy so much money as the said trustees or any three of them shall judge necessary for purchasing the land and finishing the said courthouse and prison: provided always, the sum of money so raised do not exceed three hundred pounds current money of the province.[12]

The method then of providing for the erection of a county jail consisted in the appointment of a board of five special commissioners or trustees who were authorized to purchase the required land and estimate the cost of the jail. The sum thus determined was raised in the same manner as any part of the county rate, namely by the county commissioners and assessors.

The eight remaining acts passed during the provincial period providing for the erection of new county jails were modelled directly after this act of 1725, retaining even the same phraseology. All the subsequent jails erected were those which had to be provided for newly created counties, and the act authorizing the building of the jail was uniformly embodied in the general act creating and organizing the administration of the new county. The following acts, passed between 1725 and 1773, provided for the erection of a new county jail in the newly created counties:—Lancaster county by the act of May 10, 1729; York county by an act of August 19,

[12] *Statutes at Large*, IV, 9–10.

1749; Cumberland county by an act of January 27, 1750; Berks county by an act of March 11, 1752; Northampton county also by an act of March 11, 1752; Bedford county by an act of March 9, 1771; Northumberland county by an act of March 21, 1772; Westmoreland county by an act of February 26, 1773.[13] The only variations in any of these acts were that in the case of Lancaster county only four trustees were provided for, and that Northampton county was allowed four hundred and fifty pounds instead of three hundred pounds with which to build its courthouse and jail.[14] Therefore, nine of the eleven counties of provincial Pennsylvania had county jails distinct from the workhouse or house of correction. In Philadelphia and Chester counties it appears that the jail and the workhouse were combined in a single plant.[15]

After the act of January 12, 1706, there was no more legislation concerning workhouses until the act of February 27, 1718, was passed.[16] This act bears much the same relation to the subsequent workhouse acts that the law of March 20, 1725, holds to the later jail legislation. There was a great and fundamental difference, however, between the nature of the workhouse described in the act of 1706 and the type of institution contemplated in that of 1718. The workhouse provided for in the act of 1718 was no longer the Quaker institution for the imprisonment of criminals at hard labor, but was the typical European workhouse for the repression of vagrants and paupers. It was enacted that the workhouses and houses of correction to be erected should be

> Used and employed for the keeping, correcting, and setting to work of all rogues, vagabonds, or sturdy beggars, and other idle and disorderly persons, who by the laws and usage of Great Britain, or by the laws of this province, are to be kept, corrected or set to work, in such houses and backsides.[17]

While the Quaker sentiment and traditions were strong enough to retain in Philadelphia, and to some extent in Chester county, something of the older organization and function of the workhouse of the late seventeenth century, as established by Penn, there can be no doubt that by 1718 the Quaker system of penal institutions and penal administration had begun to disintegrate, much as their criminal jurisprudence was shattered by the code of March 31st of the same year. The year 1718, then, may be taken as the most convenient date for marking the submergence of Quaker jurisprudence and penology and the ascendancy of the Puritan and English system in the province of Pennsylvania.

[13] For the above eight acts see *seriatim* the following: *Statutes at Large*, IV, 133–4; V, 73–76, 90–93, 136–9, 143–6; VIII, 48–52, 146–9, 316–20.

[14] *Statutes at Large*, VI, 276–7.

[15] *Statutes at Large*, III, 168–9; VIII, 300.

[16] *Statutes at Large*, III, 167–171.

[17] *Statutes at Large*, III, p. 168.

The act of February 27, 1718, providing for the erection of workhouses in the provinces declared in its enacting clause,

> Whereas the proprietary and first adventurers in their principal model of this government proposed that for crimes inferior to murder, the punishment might be by way of restitution, fine, imprisonment, and such like; and where the offender proved not of ability to make such satisfaction then he should be kept in prison or a house of correction at hard labor; but no effectual care hath been yet taken to erect such houses, by reason whereof many evil doers escape unpunished, and servants, who, for their neglect and abuses should be kept at work in such houses, are become incorrigible, and therefore may it please the governor that it may be enacted. . . .[18]

To provide for the much needed workhouses, it was enacted that the justices, or a majority of them, meeting in the next quarter sessions after May 1, 1718, might "set down and make orders for building, erecting, or causing to be built and erected or provided, one or more houses of correction and workhouses, with convenient backsides or yards thereunto adjoining, in some convenient places within their several counties or towns corporate." The order of the justices to provide money for the building of the workhouses was to be honored by the county authorities and the sum needed was to be raised as a part of the county rate.[19] It was further specifically enacted that within three years after March 25, 1718, a house of correction or workhouse should be built at Philadelphia in Philadelphia county, at Chester in Chester county, and at Bristol in Bucks county.[20]

These prospective workhouses were to be put under the control of a "president, a treasurer, and assistants," to be appointed by a majority of the justices of the county assembled in a quarter session from "the most able and honest inhabitants and freeholders of the said counties." The said president, treasurer and assistants were to constitute a "body politic and corporate in law to all interests and purposes" with all the legal characteristics and power of a corporation.[21] The corporation was to be responsible to the justices of the county, who were to inspect the corporate accounts at each quarter session and punish and dismiss offenders. At least one member of the corporation was "to give punctual and constant attention at the workhouse and house of correction to which they respectively belong." This member of the corporation was to have general charge of the administration of the workhouse and of the discipline of the inmates. He was to present a quarterly report to the justices. The corporation as a whole was to estimate the amount of money needed to operate the workhouse and to present the estimate to the justices who reviewed it and passed it on to the commissioners and assessors to be raised as a part

[18] *Statutes at Large*, III, 167. In spite of the phraseology of this law the workhouses were not employed as penal institutions except in Philadelphia and Chester counties.

[19] *Statutes at Large*, III, 168.

[20] *Statutes at Large*, III, 168–9.

[21] *Statutes at Large*, III, 169–70.

of the county rate.[22] The governing corporation was further empowered to employ such officers as they needed to assist them in operating and administering the workhouse, to determine and allow their pay, to remove them for cause and to appoint their successors.[23] The sheriff, constables and all other officers of justice were ordered to give all proper aid and assistance to the corporation. No specific information was contained in the act relative to the type of work on which the inmates were to be engaged, but provision was made for the purchasing of the original stock with which to begin work and for obtaining the future supplies of raw material which would be required.[24]

As has been pointed out above, this act of February 27, 1718, was the general organizing law governing the establishment of workhouses in provincial Pennsylvania until 1767. The next act based upon this precedent was that of March 7, 1746, which was rendered necessary by the failure of Bucks county to carry out the provisions of the act of 1718. It declared that no workhouse had been erected in Bristol, as had been directed in 1718, and authorized the burgesses of Bristol to proceed with the establishment of such an institution. Its government was to be the same as that provided for the government of the workhouses created by the act of 1718.[25]

An act of March 4, 1763, declared that the county of Lancaster

> had suffered most grievously, as well by unruly disobedient servants, as by idle strolling vagrants from divers parts who have taken shelter in that county and borough; and drunkenness, profane swearing, breach of the Sabbath, tumults, and other vices so much prevail that it is not in the power of the magistrates to suppress them and preserve peace and good order, having no house of correction for the punishment of such offenders.

To correct these abuses the justices were authorized to provide for the erection of a workhouse and to appoint a corporation to administer it.[26]

The general procedure in erecting workhouses in Pennsylvania was systematized by an act of February 21, 1767, which remained the legal basis for the establishment of such institutions in the state until it was superseded by an act of June 26, 1895. It was provided that if a grand jury at any court of quarter sessions should decide that a new workhouse ought to be erected or an existing one repaired or extended, they should make such recommendation to the justices of the court of quarter sessions and the county commissioners and assessors. If the justices, commissioners

[22] *Statutes at Large*, III, 169–70.

[23] *Statutes at Large*, III, 171. Futhey and Cope, however, state that the first keeper of the Chester county workhouse was appointed by the court of quarter sessions with the consent of the county commissioners and assessors. *A History of Chester County*, 411.

[24] *Statutes at Large*, III, 170.

[25] *Statutes at Large*, V, 31–38.

[26] *Statutes at Large*, VI, 280–282.

and assessors agreed with the recommendation of the grand jury, the money required to erect, extend or repair the workhouse was to be raised as a part of the county rate. The justices of the court of quarter sessions were empowered to appoint "some capable, discreet, and prudent person to be keeper of such workhouse." It was the duty of the keeper to furnish materials for the employment of the inmates, to sell the products, and to turn over the proceeds to the county treasury. The salary of the keeper was to be determined by the justices of the court of quarter sessions. In the workhouse were to be confined all "idle and disorderly persons, rogues and vagabonds." [27]

The last workhouse act of the provincial period was that of February 26, 1773, to erect a "new gaol, workhouse, and house of correction in the city of Philadelphia." [28] It should be noted that this act of 1773 was both a workhouse and a jail act. This is to be accounted for by the fact that in Philadelphia, while the jail and the workhouse occupied separate buildings, they were enclosed by the same wall and constituted a part of the same penal institution. The act stated that

> It has been represented to the Assembly that the gaol and workhouse in the City of Philadelphia are insufficient for the safe custody of the criminals and others committed to the same, and that from the smallness of the lot of ground, the inconveniency of the buildings and inner apartments and the increased number of persons confined therein, the health not only of the said prisoners, but of the inhabitants of the said city is greatly endangered.

To remove these abuses it was enacted that the commissioners of the county of Philadelphia were authorized to raise funds to

> purchase a lot of ground in some convenient part of the city and erect thereon a commodious, strong and sufficient gaol, workhouse, and house of correction, with a good yard to each of them, inclosed by walls of proper height and strength for confining and detaining in safe custody all felons, criminals, and others who shall be committed to the said gaol and workhouse.[29]

This act is unusually important in the history of penology, as the new jail and workhouse, which was created as a result, was the famous Walnut Street Jail, in which the first American experiments were conducted with respect to the system of solitary confinement.

Therefore, while every county of Provincial Pennsylvania was provided with a county jail, only Philadelphia, Chester, Bucks and Lancaster counties erected workhouses, and only in the case of those at Philadelphia and Chester is there any reliable evidence that they retained to the slightest degree their original character as penal institutions. The characteristic penal institution of eighteenth century Pennsylvania was the county jail or prison.

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[27] *Statutes at Large*, VII, 86–87.
[28] *Statutes at Large*, VIII, 300–304.
[29] *Statutes at Large*, VIII, 300–301.

3. *The Administrative System of the Provincial Penal Institutions.*

The legal basis of the administrative system of the provincial penal institutions has already been presented in the survey of the organizing laws; a brief summary of this aspect of penal administration will suffice at this point.

With respect to the provincial jails, the general control of the physical property was placed in the hands of five trustees and their heirs and assignees. These trustees were named in the general act creating the county. The trustees were vested also with the responsibility of keeping up the property and authorizing the raising of the required funds for this purpose. The money was to be raised by the county commissioners and assessors as a part of the county rate.[30] The actual administrative control of the jail was vested in the sheriff, but he usually delegated this function to an undersheriff or a "gaol keeper."[31] The classes of persons received in the jails of provincial Pennsylvania were highly diverse. They included debtors, those accused of all types of crimes who were awaiting trial at the regular court session and "gaol delivery," those convicted of capital crimes awaiting execution, and the very few convicted criminals that had been sentenced to imprisonment instead of receiving the more usual penalty of some brutal type of corporal punishment. It is quite unnecessary to add that no differentiation was made in the treatment of prisoners on the basis of age, sex, degree of mental stability, or grade of criminality. Roberts Vaux, writing in 1826, thus describes this wholly deplorable and vicious situation which existed fifty years earlier:—

> What a spectacle must this abode of guilt and wretchedness have presented, when in one common herd were kept by day and night prisoners of all ages, colors and sexes! No separation was made of the most flagrant offender and convict, from the prisoner who might, perhaps, be falsely suspected of some trifling misdemeanor; none of the old and hardened culprits from the youthful, trembling novice in crime; none even of the fraudelent swindler from the unfortunate and possibly the most estimable debtor; and when intermingled with all these, in one corrupt and corrupting assemblage were to be found the disgusting object of popular contempt, besmeared with filth from the pillory—the unhappy victim of the lash, streaming with blood from the whipping post—the half naked vagrant—the loathsome drunkard—the sick, suffering from various bodily pains, and too often the unaneled malefactor, whose precious hours of probation had been numbered by his earthly judge.[32]

In view of the foregoing description nothing needs to be said about penal discipline in provincial days, for such a thing could not well exist. The same might be said of penal labor in the provincial jails. Demoralizing idleness was the vicious partner of the corrupting intermingling and herd-

[30] *Statutes at Large*, IV, 9–10, 133–4; V, 73–6, 90–93, 136–9, 143–6; VIII, 48–52, 146–9, 316–20.

[31] *Statutes at Large*, IV, 179 ff.

[32] *Notices of the Original and Successive Attempts to Improve the Discipline of the Prison at Philadelphia, and to Reform the Criminal Code of Pennsylvania, with a few Observations on the Penitentiary System.* Philadelphia. 1826.

ing of inmates in this unspeakable situation in the colonial jails. The following paragraph summarizes the condition as presented by some of the most eminent of early Pennsylvania jurists in 1828:—

> The alteration of the criminal code which took place in 1718, in consequence of the pertinacious attachment of the British government to capital punishments, seems in practice to have restored the dominion of idleness in the interior of our prisons; for although to some minor offences, the punishment of confinement a short period at hard labor was annexed, yet the concurrent testimony of all who remember its condition, represents the provincial prison of Philadelphia as a scene of profligacy and license, in which all sexes, ages and colors were confounded without classification, without labor, and without restraint.[33]

The customary extortion and other conventional abuses of the jail system were not absent from the jails of provincial Pennsylvania. The sheriffs exacted exorbitant fees from those confined, sometimes even compelling them to live in the sheriff's own house or in taverns, and to make such payment for their keep as the sheriff or inn-keeper demanded. Within the jail itself the sheriff or "gaol keeper" frequently "oppressed" the inmates by exorbitant charges, by personal favoritism and other well known means. He often tried to swell his income by establishing a well-equipped bar in the jail, over which he sold liquor to the prisoners, and assured himself of their trade by forbidding them to obtain drink from outside.[34] Wealthy prisoners might readily obtain immunity from the degradaton of confinement in the "common gaol" by bribing the sheriff to allow them to live in a tavern or private house under only the most general surveillance of the officers of the law.

To eliminate most of these abuses was the main purpose of the act of February 14, 1730. It was thereby enacted that the sheriff should not take a prisoner to "any tavern, alehouse, or other public victualing or drinking house or to the private house of any sheriff, undersheriff or gaol-keeper without the voluntary consent of the person so taken and arrested." The sheriff was further directed to allow any prisoner to "send for and have any beer, ale, victuals, or any other necessary food from what place they please; and also to have and use such bedding, linen, and other things as he or she shall think fit."[35] The sheriff was forbidden to sell strong drink in the jail or to allow it to be sold in the jail by others.[36] The sheriff or "gaoler" was forbidden to take any fees except those determined by the justices of the county. These legal fees were to be displayed in a public place in the jail where they could be easily read by the inmates and the citizens. Finally, it was stipulated that the sheriff should not hold office for more than three years in succession, and that after he had held office for

[33] *Report of the Commissioners on the Penal Code, with the Accompanying Documents.* Harrisburg. 1828. Page 12.

[34] Watson, *Annals of Philadelphia,* III, 178.

[35] *Statutes at Large,* IV, 179, 180.

[36] *Statutes at Large,* IV, 182.

three successive years, at least three years must elapse before he could again be qualified to serve.[37] It should be noted that this reform act did not prevent wealthy and prominent delinquents from buying the privilege of confinement outside of the jails. Nor was it successful in preventing the sheriff or "gaoler" from maintaining a bar in the jail. Even as late as 1788, it is stated on the best authority that a well-equipped bar was maintained in the Philadelphia jail.[38] There is no reason for thinking that the act was any more efficacious in entirely eliminating extortion from the administration of the county jail system.

Some conception of the brutal treatment of prisoners may be derived from the fact that in 1770 there was one death from starvation in the Philadelphia jail, while in 1772 three prisoners died from the same cause.[39]

A fair idea of the fees paid to the sheriff or jailor for his services in caring for a prisoner in the colonial period may be obtained from the following bill presented by the jailor of Chester county in 1736:—

Chester County Dr.
To Nathan Worley.

For maintaining Joseph Bivan from the 13th day of October, 1736, to the 2nd day of July, 1737.

	£	s	d
To Turn Kee fees for every capital crime	0	10	0
To King's allowance 260 days @ 2d. per day	2	3	4
To fireing and cloathing for him all winter	2	3	4
To taking four pairs of irons off him when he was to be executed	0	6	0
To a shirt and pair of trousers for him when he was executed—for he was naked	0	10	0
	5	12	8

The standard fee at that time for executing a condemned criminal was five pounds. Incidental expenses at an execution, such as erecting gallows, making a coffin, digging a grave, and conducting the funeral, amounted to twenty pence.[40]

An act of February 24, 1770, ordered that the sheriff or jailor should be allowed three pence per day for the maintenance of all persons imprisoned after the conviction of any criminal offence. This was to be raised from the county rate and paid to the sheriff.[41]

The authority to establish workhouses was vested in the justices of the court of quarter sessions in each county. They were to estimate the amount of money needed for this purpose and to order the county commissioners and assessors to raise it as a part of the county rate. The general control over each workhouse was vested in a corporation appointed by

[37] *Statutes at Large*, IV, 180–181, 183.
[38] *Commissioners on the Penal Code*, p. 13.
[39] Scharf and Westcott, *A History of Philadelphia*, III, 1826.
[40] Futhey and Cope, *History of Chester County*, p. 410.
[41] *Statutes at Large*, VII, 346–7.

the justices from the more prominent freeholders of the county. This corporation was to estimate the necessary annual expenses of the operation of the workhouse and submit it to the critical revision of the justices, who were to transmit it to the county commissioners and assessors to be raised in the county rate. The immediate supervision of the institution was vested in one active member of the corporation who was required by law to be present and regulate its administration. The details of the administration were delegated to the officers appointed, paid and dismissed by the corporation.[42] It has been shown above that, at least after 1718, the workhouses were employed almost exclusively for the repression of the vagrants, paupers and disorderly servants and not in any considerable degree to receive and punish the criminal classes. In other words, from 1718 to 1790, the workhouses were scarcely a part of the system of penal institutions.[43]

There is no evidence that there was any systematic differentiation in the treatment of the "rogues, vagabonds, sturdy beggars and other idle and disorderly persons" who were admitted to the workhouses. Nor is there any specific information available as to the type of work performed by those confined in the workhouses. One can only reconstruct the possible types of labor from a consideration of the method of employing inmates of the European workhouses of the time and the employment later used in the state penitentiaries. From these "comparative" sources of information it may be supposed that the work varied from the more rough types of manual labor, such as grinding grain, pounding stone, the coarser weaving and spinning, and "cordwaining" or cobbling, to labor which was in no sense productive but was adopted purely for its supposed deterrent value, such as running a tread-mill, turning a friction crank, and carrying heavy weights back and forth across the yard of the workhouse.[44]

4. *Descriptive Details Concerning the Provincial Penal Institutions.*

As the significance of Pennsylvania in the history of penology lies almost entirely in the experiments and advances made in the various institutions located in the city of Philadelphia, it is particularly gratifying that the most complete and specific knowledge is possessed of the successive penal institutions there erected, from the first "cage" of 1682, to the Eastern Penitentiary at Cherry Hill. This information enables the student to reconstruct the record of the entire evolution of modern penal institutions, and of those ideas and practices which constitute the body of modern penal philosophy.

The first record of a penal institution in Pennsylvania is the order of the council, on November 16, 1682, that "William Clayton, one of the Pro-

[42] *Statutes at Large*, III, 167–71; V, 31–8; VI, 280.
[43] *Statutes at Large*, III, 168.
[44] Cf. Wines, op. cit., pp. 115–18. G. Ives, *History of Penal Methods*, pp. 188 ff.

vincial Council, should build a cage against the next council-day, of seven feet long by five feet broad."[45] This was but a temporary expedient, and sometime in the interval between 1682 and 1685, Lassy Cock was authorized to build a county jail in Philadelphia at an expense of sixty pounds. That this building was deemed insufficient by the time of its completion is evident from the following action of the provincial authorities:

At the eighth court 2nd of 7th mo. 1685.—The Grand Jury agree, that in lieu of sixty pounds to be paid Lassy Cock, for building of a log house in Second street intended for a county gaol, he shall have the said log house with the ground it stands on, with the spot of ground adjacent, and a legal title thereto to be procured from the governor with a proportionable lot in Second street, for which the said county shall satisfy the governor, and shall pay to said Lassy Cock sixty pounds out of the first collected public levy, on consideration, that it doth appear that the said log house cannot be sufficient for the purpose aforesaid intended.[46]

Instead of this structure erected by Mr. Cock, the authorities rented one side of the residence of Patrick Robinson on the corner of Second and High streets to serve as the county jail or prison. In 1685 the "High Sheriff" announced,

that the hired house of Patrick Robinson used by him as a prison, was refitting, and that, with the fetters and chains &c., and his own attendance and deputies, he hath a sufficient gaol; and if any escapes occurred he would not blame the county, for want of a gaol, nor the insufficiency of said house.

It appears that the Robinson family lived on one side of a common entry to the house and that the jail occupied the other half of the house.[47]

This rented frame building was not regarded as satisfying the requirements of a good jail or workhouse, and in the same year, 1685, the authorities agreed upon the following specifications for the construction of a new brick "prison":

The house twenty feet long and fourteen feet wide in the clear, two stories high,—the upper seven feet, and the under six and a half feet, of which four feet under ground, with all convenient lights and doors, and casements,—strong and substantial, with good brick, lime, sand and stone, as also floors and roofs very substantial; a partition of brick in the middle through the house, so that there will be four rooms, four chimneys, and the cock-loft, which will serve for a prison; and the gaoler may well live in any part of it, if need be—the whole to cost 140 pounds.[48]

The prison, thus described, was not completed, however, until 1695, and in less than a decade it became antiquated. In 1702 the county grand jury presented "the prison house and prison yard, as it now stands in the High street, as a common nuisance." In the following year the court of quarter sessions appointed a committee of four to make inquiry and "to report the cost of a new prison and court house." In spite of annual com-

[45] Watson, *Annals of Philadelphia*, I, 356.
[46] Watson, *Annals of Philadelphia*, I, 300–1.
[47] Watson, *Annals of Philadelphia*, 356–357.
[48] Watson, *Annals of Philadelphia*, p. 358.

plaints about the High Street Prison no practical steps were taken to remedy the situation until 1717. By that time the need of a new prison had become so pressing that "sundry persons offered large subscriptions for erecting a new prison at the present site."[49] In the next year the act of February 27, 1718, provided for the erection of a new jail and workhouse.[50] In 1723 the new stone prison at the corner of Third and High streets was completed and the old brick prison on High street was sold to "the highest bidder." Mr. Watson thus describes the new prison, which served as the jail and workhouse of Philadelphia until 1780:

> When finished, about the year 1723, the pile consisted of a two-story stone building, fronting on High street, for the debtor's jail, and another two story similar building, fronting on Third street, for the criminals, called the workhouse—the latter some distance from the former, but joined to it by a high wall forming a part of the yard enclosure. The buildings were of hewn stone; half of the cellar story was above ground; the roofs were sharply pitched, and the garrets furnished rooms for prisoners.[51]

After exactly a half century of service this prison at the corner of Third and High streets was deemed no longer adequate for the needs of the county and city, and the act of February 26, 1773, authorized the construction of a new jail and workhouse in Philadelphia.[52] The new prison, erected according to the provisions of this act, was the historic Walnut Street Jail located at the corner of Walnut and Sixth streets.[53] It had been completed in part by 1776, when it was turned over to the government as a military prison. Later it was occupied by the British for the same purpose. It was finally completed and occupied as a prison in 1780, and an act of February 28, 1780, ordered the old jail at High and Third streets sold.[54]

There is no reason for believing that there was anything in the other counties so pretentious in prison architecture as the stone prison of provincial Pennsylvania.[55] All the evidence available indicates that the jails and workhouses were generally rough frame buildings, at the best only satisfactory from the standpoint of a moderately safe and sure place of detention of the prisoners in custody. Particularly was this the case with the jails erected in the newer counties. It is stated that the jail erected in Westmoreland county in 1773 "was made of round, unhewn logs, one story high, having but one small room, where men and women, whites, blacks, and Indians were confined together."[56]

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[49] Watson, *Annals of Philadelphia*, pp. 358, 359.

[50] *Statutes at Large*, III, 167 ff.

[51] Watson, *Annals of Philadelphia*, pp. 359–361.

[52] *Statutes at Large*, VIII, 300–304.

[53] Watson, *Annals of Philadelphia*, I, 361; III, 177 ff.

[54] *Statutes at Large*, IX, 255–7; X, 48–52.

[55] Delaware erected a stone court-house and jail at Chester in 1724. See Smith, *History of Delaware County*, p. 234.

[56] White, "The Judiciary of Allegheny County," in *Pennsylvania Magazine of History and Biography*, VII (1883), 143–193.

5. *Summary of the Development of Provincial Penal Institutions.*

The outstanding phases of the development of colonial penal institutions in Pennsylvania can be briefly characterized in the following summary The first type of penal institution provided for in statute was the typical English detention jail of the period, which was employed solely for the detention of those accused of crime pending trial and was emptied at each quarterly "gaol delivery." The stocks, whipping-post, pillory and branding-iron were the only devices provided for the treatment of convicted criminals. Whether any of these detention jails provided for in the laws of 1676 were ever actually built cannot be determined, but, as the courts were in session at the period, it may be assumed that some provision was made for holding the accused in custody prior to trial.

The second type of penal institution created in the province was the Quaker workhouse, which for the first time brought into a combination the jail and the workhouse and made the latter a real penal institution. Apparently, outside of Philadelphia, this reform was primarily statutory rather than actually achieved, and few if any workhouses were built before 1718, after which the workhouse passed from a penal institution into a resumption of its older European characteristics as an institution for the repression of vagrancy and pauperism. Therefore, the county jail was the characteristic penal institution of the colonial period, each of the eleven counties being provided with a jail and but four with workhouses. In the case of the workhouses not more than one or two were employed in any sense as penal institutions. The jails were utilized mainly for detaining those accused of crime and awaiting trial and for the confinement of debtors. Very few convicted criminals were confined in the jails, as the sentences assigned to them were mainly fines or corporal punishment.

The inmates of the jails suffered from the extortion of jailors, the demoralizing idleness and the corrupting intermingling of all classes, which were an inseparable accompaniment of the system. There was no differentiation in treatment or segregation in confinement provided for the inmates according to age, sex, color, degree of criminality, previous record or mental state, with the slight exception that in Philadelphia some attempt was made to segregate the debtors from the criminals. Finally, the absence of productive labor from the provincial jails made them a complete economic burden, in so far as they were not supported by the fees paid by the inmates. In short, the most conspicuous fact about the colonial period from this standpoint was the almost entire absence of true penal institutions and the hopeless failure of those which existed as reformatory and deterrent institutions.

III. General Summary of the Colonial Period in its Juristic and Penological Aspects.

In colonial Pennsylvania, as elsewhere in the world at the time, there

was no scientific conception of the nature of the criminal personality; the criminal was held to be a perverse "free moral agent" who should feel to the full the savage revenge of an outraged community. To carry this penal "philosophy" into application, there were provided barbarous penal codes with their extensive list of capital offences and their almost exclusive employment of brutal forms of corporal punishment as the penalty imposed for the lesser crimes. Little or no use was made of imprisonment as a corrective of the criminal, the only classes permanently confined being the debtors, who should not have been incarcerated at all.

The only ray of light which penetrated the almost uniform and dismal gloom of colonial penology consisted in the fact that in the brief period of the domination of Quaker theories and practices, from 1682 to 1718, a criminal code had been enacted and in part applied which abolished the ridiculously long category of capital crimes, substituted imprisonment at hard labor for the barbarous pillory, stocks, whipping-post and branding iron, and, for the first time, made the workhouse a vital part of the system of penal institutions. This constitutes the whole positive significance of colonial Pennsylvania in the history of penology. When the growing forces of enlightenment during the eighteenth century made it impossible any longer to endure with complacency the earlier crudities and barbarities, prison reform was made doubly easy in Pennsylvania because of this early Quaker precedent.

It is probable that the preëminence and priority of Philadelphia in prison reform in the late eighteenth and early nineteenth centuries was due more than anything else to the fact that reform was here not only desirable, but here alone was also *respectable,* since it had been a part of the social program of the "Fathers" of the colony. When the other states of the newly created nation were struggling to bring about reform they were burdened with the handicap of a colonial precedent of almost unrelieved barbarism, while Pennsylvania could look back to its early history and discover and accept a reform program which had been hallowed by association with the very name of Penn and the establishment of the province.

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ITEMS FROM PERIODICALS.

a. In The Journal of the Friends' Historical Society (London).

The historical sketch of "Devonshire House Reference Library, with Notes on Early Printers and Printing in the Society of Friends," by Anna L. Littleboy, is concluded in 18 (1921): 66–88. This was the presidential address (1920) of the Friends' Historical Society, and is to be had in separate form at the Friends' Bookshop, London.

The story of how Philadelphia Yearly Meeting of Ministers and Elders refused a certificate to Warner Mifflin (1745–1798), an Elder, who was under a religious concern to visit Friends in England. The request was refused because "there was no letter of discipline, pointing out a way for Elders to visit churches." (The incident taken from the *Life and Ancestry of Warner Mifflin,* by Hilda Justice, Philadelphia, 1905.)—In this connection the editor of the *Journal* asks: "Has any American Friend in the station of Elder received plenary certificates to visit London Yearly Meeting?"—18 (1921): 95–96.

Interesting item on the Quaker rule in Rhode Island, and the desire of the anti-Quakers to circumvent it by making that colony a royal province. —18 (1921) : 113.

The letters of William Procter, an Orthodox Friend, of Baltimore, to his relations in England, describing events connected with the separations of 1828 in Philadelphia, New York, and Ohio Yearly Meetings. Very interesting and valuable source material.—19 (1922) : 1–11.

Extract from a letter of 7 mo. 4, 1828, concerning Philip E. Thomas and the beginnings of the Baltimore and Ohio Railroad, of which he was President.—19 (1922) : 11.

Extract from the Diary of Samuel Shoemaker, a Pennsylvania Loyalist, concerning his interview with George III. Reprinted from *Pennsylvania Magazine of History and Biography,* vol. 2 (1878).—19 (1922) : 12–16.

A story illustrating the simplicity and humility of William Penn, whether being entertained in a humble dwelling or at the court of James II.—19 (1922) : 31.

Note on Daniel Rickeston, New Bedford, Mass.—19 (1922) : 47.

Note on the poetry of Elizabeth Allen Satterthwaite, Webster Groves, Mo.—19 (1922) : 47.

Brief notes on Warner Mifflin (1745–1798), Josiah White (1781–1850), Moses Pennock (1786–1860), William Rotch (1734–1828), Samuel Wetherill (1736–1816), Christopher Marshall (1709–1797), Thomas Moore (1760–1822), Job Roberts (c. 1756–1851), Frank J. Russell (c. 1870–1914), Philip E. Thomas (1776–1861), Isaac Briggs (1763–1825), Dorothy Payne Madison (1768–1849). These occur in a very valuable series of "Sketches of Quaker Inventions and of Friends who led the Way in various Directions." —19 (1922) : 49–57.

Interesting notes from Edward Haistwell's Diary of the Travels of George Fox, 1677, 1678. This diary, as well as the Spence MSS. of George Fox, has been added recently to the collection of the Friends' Reference Library, Devonshire House, London.—19 (1922) : 61–62.

Reference to John Holme, a Baptist magistrate, and his relation to the Keith controversy in Philadelphia.—19 (1922) : 64.

b. In The Friend (Philadelphia).

The review of "Some of Our Quaker Periodicals" should be of value to bibliographers.—10 mo. 27, 1921, pp. 195–196, and 11 mo. 3, 1921, p. 208.—It may be added that the most complete collection of these periodicals in America is in the library of Haverford College.—The most general lack in those Quaker periodicals that contain historical material is the lack of complete and properly compiled indexes.

A report and an interpretation of the Washington Conference for the Reduction of Armaments, by Professor William I. Hull, was printed in fourteen chapters, 11 mo. 24, 1921 to 2 mo. 16, 1922.—The same series was printed in the *American Friend* and the *Friends' Intelligencer.*

An article on "The Old Friends' Meeting House at Newport, R. I." The building was completed about 1706.—3 mo. 30, 1922, pp. 463–464.

The series of articles by Elbert Russell on "Present Tendencies in the Society of Friends in America," was concluded in *The Friend* (Phila.), 4 mo. 6–20, 1922. The series contained much valuable historical review and interpretation. The earlier chapters were printed in *The Quaker.*

A valuable index to materials on the Society of Friends in the *Encyclopedia Britannica,* 11th edition, 1910–1911.—6 mo. 8, 1922, pp. 585–586.

Very valuable historically are the "Recollections" of Marmaduke C. Cope (1804–1897) that began serial publication 6 mo. 22, 1922, p. 605.

A sketch of "The Society of Friends in Denmark Through Forty-Five Years" (1877–1922), by Peter Guldbrandsen.—7 mo. 6, 1922, pp. 4–5.—Same in *American Friend,* 5 mo. 25, 1922, p. 411.—Also *Friends' Intelligencer,* 7 mo. 8, 1922, p. 422.

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c. In The Friends' Intelligencer (Philadelphia).

Under the general caption, "The Quakerism of the Founders," Elbert Russell presents a series of articles on George Fox, Robert Barclay, Isaac Penington, and William Penn. By quotations from the writings of these "founders" he shows their attitude on various questions.—1 mo. 14–4 mo. 22, 1922.

A very interesting story is told of the finding of a "lost" sect of native Quakers by Friends' relief workers in Russia. According to their own tradition their sect was founded about three hundred years ago by some one from England. (This story is printed in various Friends' periodicals

besides the *Intelligencer* here cited.) 1 mo. 14, 1922, pp. 22–23; cf. *American Friend*, 3 mo. 30, 1922, pp. 248–249. See also story of two Scotch Quakers from Napoleon's army, left in Russia after the retreat from Moscow, who spread Quakerism there. *Intelligencer*, 1 mo. 21, 1922, p. 41. Cf. a further reference below.

"The Influence of Friends in Colonial Life," by Elbert Russell, consists of extracts from his address delivered at the Baltimore CCL celebration.—5 mo. 20, 1922, pp. 308–310.

"Was Thomas Paine a Quaker?" is answered decisively in the negative. He was of Quaker parentage but was not himself affiliated with any religious body.—5 mo. 27, 1922, p. 330.

Thomas A. Jenkins, of Chicago, describes a visit to the workshop of Albert Cook Myers in the building of the Historical Society of Pennsylvania, Philadelphia. He comments on the vast amount of material that the editor has brought together and calls upon interested people to rally to the support of the undertaking. He hopes that the editor may have the work ready for publication by 1926, the sesqui-centennial anniversary of American independence.—6 mo. 17, 1922, p. 371.

At Catawissa, Pa., about five miles from Bloomsburg, stands an old log meeting-house built by Friends in 1775. Mary Emma Walters, a maiden lady of eighty years, worships there alone, and spends her days in keeping the place in good order.—7 mo. 1, 1922, p. 410.

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d. In The Quaker (Philadelphia).

Beginning with the issue of 11 mo. 12, 1920, Elbert Russell contributed a series of articles on "Friends' Secondary Schools" that is historically very valuable.

"Quakerism and Art" is partly an historical review in which Arthur Edwin Bye, an artist-Friend, laments the past poverty of Friends in the realm of art.—12 mo. 9, 1921, pp. 195–198.

"The Educational Work of Friends in the United States" by Sceva B. Laughlin. Gives statistics and various tabulated data.—1 mo. 6 and 20, 1922.

"The Social and Humanitarian Work of the League of Nations" is an important contribution by the well-known Japanese Friend, Dr. Inazo Nitobé, who has been taking an important part in an official capacity in the work of the League.—1 mo. 20 and 2 mo. 3, 1922.

"Notes on the Growth of the Book of Discipline," by Emma Speakman Webster.—2 mo. 17, 1922, pp. 258–259.

Extracts from a sermon by Lucretia Mott on the Bible and First Day.—3 mo. 3, 1922, pp. 267–269.

(*The Quaker* discontinued publication with the issue of 4 mo. 14, 1922.)

e. In The American Friend (Richmond, Indiana).

"Springfield Memorial Association is an organization of Friends and their neighbors at Springfield, one mile and a half in a rural community southeast of High Point, N. C. The Monthly Meeting at Springfield was established more than 130 years ago. Nathan Hunt, the eminent North Carolina Friends' minister, lived here and was buried in the cemetery hard by the Meeting House. Other prominent Friends who have resided here were John Carter, Allen U. Tomlinson, Mahlon Hockett, Enos A. Blair, Harrison Frazier, Joel G. Anderson, Solomon I. Blair, Thomas E. Anderson, B. Franklin Blair, Thomas English and William Hill."

The Association has accumulated a growing fund for the maintenance and improvement of the grounds, including the cemetery. It is also helping in the educational and general improvement of the neighborhood.—12 mo. 29, 1921, p. 1046.

Interesting stories of "Early Quaker Whalers" taken from Raymond M. Weaver's *Herman Melville, Mariner and Mystic.* (Doran) 3 mo. 16, 1922, p. 205.

The stately old Indiana Yearly Meeting House, one of the outstanding landmarks of Richmond, Indiana, has been torn down.—3 mo. 16, 1922, p. 221. For a page picture of same see 8 mo. 25, 1921.

f. In Various Periodicals.

The fact that Margaret Fox was at times referred to as Margaret Fell even after her marriage to George Fox is discussed by Norman Penney in *The Friend* (London), 2 mo. 24, 1922, p. 144. See same paper, 3 mo. 3, 1922, p. 162.

Walter Robson's story of "Some Quaker Characteristics of Seventy Years Ago" is interesting and valuable. One of several diverting anecdotes is that of "an American Minister telling us that when he first began to speak in meetings some good Elders called on him to encourage him, and one of them added, 'if thou art faithful, dear young man, thou wilt learn the tune in time.' This was James Owen, and he had certainly learnt his lesson well." *Friends' Quarterly Examiner,* 1 mo., 1922, pp. 51–61.

Hubert W. Peet contributes "Some Thoughts on Recent Quaker Biographies" to the *Friends' Fellowship Papers*, 1 mo., 1922. He deals chiefly with Agnes Fry's *Memoir* of her father, Sir Edward Fry, and with Violet Hodgkin's *George Lloyd Hodgkin*, mentioned elsewhere in this BULLETIN.

There is considerable material on the "Russian Quakers," including a translation of one of their hymns, in *Friends' Fellowship Papers*, 1 mo., 1922. Cf. other references above.

A vivid bit of Quaker "social history" is told by Elizabeth W. Paige under the title, "Quarterly Meeting Company."—*Westonian*, 1 mo., 1922, pp. 7–8.

The article by Dean W. R. Inge (of St. Paul's, London) on "The Quakers" is of permanent value. It was printed in the *Contemporary Review*, 2 mo., 1922. Generous extracts from the article are in *The Westonian*, 3 mo., 1922, pp. 63–66.

In the *Proceedings of the New Jersey Historical Society*, 10 mo., 1921, are printed the Propositions of Gawen Lawrie for the Settlement of East Jersey, 1682.

Under the caption, "A Quaker in Court," is an account of the trial of William Penn in 1670. *Case and Comment*, 24 (3 mo., 1918) : 780–787.

Some data on early Friends in South Carolina are in the *South Carolina Historical Magazine*, 19 (4 mo., 1918) : 87–94.

A section on Friends is contained in "Early Religious Leaders of Newport," published by the Newport (R. I.) Historical Society, 1918, pp. 184.

There is an article on "The Underground Railroad in Iowa" in *The Palimpsest*, 2 (May, 1921) : 129–143, a magazine of The State Historical Society of Iowa, Iowa City, Iowa. It is a general sketch, full of interest, with mention of several Friends and others who were active in the movement,—"nigger-stealers," as they were called by the slave owners.

In the *Pennsylvania Magazine of History and Biography*, 45 (1921) : 243–254, appears the translation of a letter written by a German immigrant, Christopher Sower (Johann Christoph Sauer), in 1724, describing conditions in Philadelphia and Pennsylvania. It contains little direct reference to Friends, but the following is an interesting side-light:

"House rent is high because the houses are all built of bricks. The city [Philadelphia] has already 2000 houses, occupied chiefly by English

Quakers and merchants; it is situated right on the river Delaware, as Mainz or Cologne on the Rhine, and has 2 fairs a year. According to appearances, plainness is vanishing pretty much. The dear old folks, most of whom are dead by this time, may have spoken to their children a good deal about plainness. It is still noticeable in the clothes except that the material is very costly, or is even velvet."—pp. 252–253.

There is a "History of the Buffalo Creek Reservation" by Frederick Houghton, in the *Publications of the Buffalo Historical Society* (Buffalo, N. Y.), 24 (1920): 3–181. It contains brief references to the work of Friends for the Indians of western New York, and to the Holland Purchase and the Ogden Land Company.

In the *Journal des Economistes,* 1 mo. 15, 1922, pp. 9–13, there is an article entitled, "Le Quaker et L'Allemand." It is a curious, imaginary dialogue between a Quaker and a German. The latter is bewailing the ruinous effect of the Treaty of Versailles. The Friend replies that the treaty has relieved the German of his heaviest burden, the army and navy, and by practicing the Quaker virtues of peace, industry and thrift, he may become "le plus grand bénéficiaire de la guerre."

Mrs. Grace Julian Clarke's "Wayne County and the Inward Light" deals with the first settlement and later influence of Friends in that section, especially their influence in the anti-slavery movement.—*Proceedings of State History Conference* (Indiana Historical Commission, Indianapolis), Bulletin No. 11, May, 1920, pp. 94–99.

BOOK NOTICES AND REVIEWS.

Books of interest to Friends may usually be purchased at the following places:

Friends' Book Store, 304 Arch Street, Philadelphia.

Friends' Book and Tract Committee, 144 East 20th Street, New York City.

Friends' Book and Supply House, Richmond, Indiana.

Friends' Bookshop, 140, Bishopsgate, London, E. C. 2, England.

When the price of an English book is given below in terms of American money, it means that one of the American book stores has quoted that price.

(On account of the infrequent publication of the BULLETIN, historical works are often reviewed in other periodicals some time before a number of this magazine is to be published. In some such cases, and in others where the historical portion of a general treatise is not large, only a brief notice will be given, with reference perhaps to an adequate review elsewhere.—Editor.)

Alexander, Horace G. *Joseph Gundry Alexander.* London. 1920.

It is to be hoped that librarians in America, especially in Quaker institutions, will secure this biography now if they have not done so before. It is offered to libraries, by the Friends' Bookshop, London, at the special price of one shilling (now about twenty cents) to cover packing and postage. It is bound in good cloth and sold formerly for 7/6 (about $1.50).

To those who met Joseph Gundry Alexander during one or more of his several visits to America, and to all who are interested in the story of his religious and philanthropic work, the book will be of interest and inspiration. The account of his part in the crusade against the opium and drug traffic is especially valuable.

Atkinson, Wilmer, An Autobiography. Founder of the Farm Journal. Philadelphia. 1920. Pp. 375.

Jacob Biggle and Aunt Harriet! How we have enjoyed their homely, kindly wisdom! In this autobiography we learn of their inception; also of the origin of many a quaint, kindly, shrewd apothegm, much sweeter and more wholesome than Franklin's somewhat caustic proverbs from the mouth of his Poor Richard.

The book is dedicated to his family "and to everybody." Yes, this man loved everybody. Yet the book is almost a fragment, for we get little view of Wilmer Atkinson himself. He flits alertly through its pages, so that we hardly catch a real glimpse of him. But we all knew him as a vivid, alert, restless, inquiring, ardent, ready man, an admirable example of the best type of the Quakerism that matured in the latter half of the last century. Perhaps he was the more interesting because apparently he was not active in Friends' affairs. One cannot imagine Wilmer Atkinson serving to much purpose on committees.

An ancient family tradition lay behind him, and all his life he was consistent to type. The bright chapters on family history, and travel, and above all on the beginnings and triumphant success of the *Farm Journal* will do all of us good in these times of industrial stress.

It is a pleasure to hold such a volume in one's hand, so attractive is its make-up. The contents would be more accessible if an index had been provided, but perhaps this would have required too much insistence on individuals for such an intimate record.

It may be permitted to note that Hannah Watson Philips was the first subscriber to the *Farm Journal.* Her portrait faces page 162. A close parallel to this book is to be found in the volume portraying the life of Samuel L. Allen, noted in the last number of the BULLETIN, page 52. The two men were contemporaries and their careers had much in common.

RICHARD T. CADBURY.

Balch, Thomas Willing. *The Cradle of Pennsylvania.* Philadelphia: Allen, Lane and Scott. Pp. 41.

This little book of 41 pages is an appeal by the author for the commemoration of the establishment of Swedish authority at Great Tinicum Island in 1643 by Governor Johan Printz. On this island, now a part of Philadelphia county, was set up the first white man's government within the present boundaries of Pennsylvania.

The author advocates the purchase of the plot on Great Tinicum Island where Governor Printz's official residence stood, and of the whole of Little Tinicum Island nearby, the two sites to be erected into "Governor Printz Park."

The editor of the BULLETIN is informed by Thomas Willing Balch that, by the help of the Swedish Colonial Society, funds are now in hand for a suitable tablet to Governor Printz, and it is hoped that the Pennsylvania legislature of 1923 will provide for establishing the memorial park.

Brayshaw, A. Neave. *The Quakers: Their Story and Message.* London. 1921. Pp. 154. $1.00 cloth.

A. Neave Brayshaw, who has put the Society of Friends in debt to him on former occasions, especially for his little book *The Personality of George Fox,* has greatly increased that debt by his small volume now under review. *The Quakers* is an excellent piece of sound historical work. The author has packed a very large amount of material into very little space. He has given us one of the best short sketches of the birth of Quakerism that has yet been written. It builds on the previous work of William Charles Braithwaite and Norman Penney, as all future historians will do, but at the same time it has a distinct mark of originality and a style of its own. The section of the book which covers the eighteenth century is severely condensed but it shows a large amount of careful research and it is characterized by genuine insight and historical grasp. The period of revival and reconstruction is well handled and the book closes with a valuable review of the years through which we have just passed, with their searching test of our central faith and with the far-flung answer to the call for service. The book throughout is an interpretation of the Quaker message, faith, and way of life, as well as a brief history of the birth and development of the Society. The writer is always interested in historical facts as facts. His foot-notes show how wide has been his reading and his search for data, but his main concern is to reveal the meaning and significance of the facts. He looks through them and makes them shed their light on the path we are now travelling and on the mysterious road that still lies before us. It has all the advantages of a short book. It can be read through continuously and the coherence of the story, with its stock of lessons, can be easily grasped and held by the reader. It can be bought at a small price and everybody who wishes can own a copy.

My only criticism of the book is that too much has been crowded on a page, for the laudable attempt to make the book short and available at a low price has led to crowding and to a rather unattractive form. There are also a good many misprints. All these minor points can be corrected in later editions, and we can predict that this excellent contribution to our history and to the interpretation of our faith will have a useful sphere of service for many years to come.

RUFUS M. JONES.

Catalogue of the Memorial Exhibition of Portraits by Thomas Sully. Philadelphia, 1922.

Those who failed to see this splendid exhibition at The Pennsylvania Academy of Fine Arts should at least see the Catalogue. It is a work of art in itself, with one hundred reproductions of portraits by the talented painter.

The biographical sketches, by Albert Cook Myers, add much to the Catalogue, making it a valuable, illustrated handbook of biography.

Of especial interest to Friends are the following portraits (as numbered in the Catalogue):

Numbers 40, 58, 67, 78, 81, 92, 162, 185.
Descendants of William Penn, numbers 35, 36, 73, 133, 145.
Descendants of James Logan, numbers 76, 116.
Free Quakers, numbers 157, 215.

C C L Book. The Two Hundred and Fiftieth Anniversary Celebration of the Founding of Baltimore Yearly Meeting of Friends. 1672–1922. Baltimore. 1922. Pp. 75. $1.00 postpaid, paper.

This beautiful memorial booklet may be had by addressing a Friends' book agency, or O. Edward Janney, 825 Newington Ave., Baltimore.

There are sixteen beautiful half-tone illustrations in the book, which is printed throughout on coated paper, and handsomely bound in a heavy, art-paper binding.

Seven of the illustrations are from the historical pageant, the text of which is also printed. The program day by day, and the lists of committees and of official delegates are given. The whole is an historical document of no little importance, and should be in large demand among all who are interested in Quaker history.

For readier reference there should have been a Table of Contents printed at the beginning of the book.

(See an account of the anniversary celebration by Amelia M. Gummere, p. 65 above.)

Children's Story Garden. Philadelphia: Lippincott. 1920. Pp. 247.

This is a collection of stories having "the direct aim of teaching ethics and religious truth to children." The compilers were a committee of Philadelphia Yearly Meeting (Race Street).

Not all of the stories are of Quaker origin. Those that are, such as The White Feather, Oliver Cromwell and George Fox, The Silent Meeting, Mary Proude, and the Sermon in the Wilderness, are well suited for teaching, in an attractive way, to children, some of the elements of Quaker history.

This book and Maude Robinson's stories, mentioned below, form a valuable library of Quaker stories for children.

Christian Life, Faith, and Thought. London. 1922. Pp. 149. $.60.

This is the first part of the new Book of Discipline of London Yearly Meeting. It is the result of an attempt, notably successful, "to state truth, not by formulating it, but by expressing it through the vital personal and corporate experience of Friends."

It is a valuable historical handbook, containing as it does extracts from the statements of Friends, ancient and modern, on various phases of "Christian Life, Faith, and Thought."

Its value as a reference book is greatly enhanced by a good Table of Contents and an Index.

It was reviewed in *The Friend* (Phila.), 95 (6 mo. 8, 1922): 578–579; also in *The American Friend,* 7 mo. 6, 1922, p. 528 (by T. Edmund Harvey); also *The Friend* (London), 5 mo. 26, 1922, pp. 351–352.

Dixon, H. Pearl. *Sixty Years Among the Indians.* Privately published. (On sale by Sadie S. Carter, R. F. D. No. 1, Galena, Kansas.) 1921. Pp. 87. $.50 paper.

Contains biographical sketches, with portraits, of Thomas H. Stanley (1818–1902) and Mary Wilson Stanley, and the story of their work among the western Indians. The booklet contains some valuable illustrations, especially the picture of the old Quaker Shawnee Mission near Kansas City, Missouri.

Fellow, Henry C., and Melissa S. *Semi-Centennial Historical Sketch of Kansas Yearly Meeting of Friends, 1872–1921.* Wichita, Kansas: Friends' Book Supply. Pp. 59.

A brief, sketchy account, containing several valuable illustrations.

Graham, John W. *Conscription and Conscience, a History, 1916–1919.* London: Allen and Unwin. 1922. Pp. 388. $3.00 cloth.

While not primarily Quaker history, this book on the struggle against conscription in England contains large sections on the Society of Friends, *e.g.*: The Society's Testimony and Activities; Friends' Ambulance Unit; War Victims' Relief and the Emergency Committee; Friends' Service Committee, etc. In fact, throughout the book there is constant reference to the activities of individual Friends or of the Society as a whole.

Pp. 369–380 contain a section on the C. O. movement in the United States; this brief sketch contains some reference to Friends, mostly taken from *A Service of Love in War Time* by Rufus M. Jones.

Principal Graham (of Dalton Hall, University of Manchester) has given us a book that is indispensable to all who wish to see the Society of Friends in England meeting the issues of the Great War.

Harvey, T. Edmund. *The Rise of the Quakers.* Sixth impression. London. $.90.

A new printing of this brief, penetrating study of early Quakerism is another proof of its permanent value. It is to be hoped that the market among American Friends will help to absorb the renewed supply of this book.

Heath, Carl. *Religion and Public Life.* Swarthmore Lecture. London. 1922. $.80 cloth.

On its historical side this new Swarthmore lecture traces the relation of religion to social and political problems in various ages. Thus Quakerism is seen in its historical setting, failing in its turn to fulfill its early promise of a religion that would transform the whole of life.

The plea is for a revived Quakerism, that visualizes not only the individual soul, but the whole social order throughout the world.

There is a thoroughgoing review of the lecture, with a portrait of the author, in *The Friend* (London), 5 mo. 26, 1922, pp. 356–358.

Hobhouse, Stephen, and Brockway, A. Fenner. *English Prisons To-day.* London and New York: Longmans, Green and Co. Pp. 728. $8.50 cloth.

This bulky volume is the result of extensive investigations, covering three years, by a large and representative committee of English men and women. The great mass of information gathered was edited and largely written up by the two authors named above.

It is a monumental work on the side of prison reform. As to Quaker history, it is important because it pictures the conditions faced by conscientious objectors in English prisons, and the reaction of the Society in England to those conditions.

For fuller reviews see *The Friend* (Philadelphia), 8 mo. 3, 1922, pp. 53–54.

Hodgkin, Lucy Violet. *George Lloyd Hodgkin, 1880–1918.* Edinborough: privately printed. 1921. Pp. 267.

Here is the biography of an educated, traveled, concerned young English Friend, a son of Dr. Thomas Hodgkin. Many American Friends will remember his visit to America in 1912 as a representative of English young Friends.

In the war he took the "absolutist" position, refusing "alternative service," and finally died at Bagdad while on a mission of mercy.

The sketch of his life by Violet Hodgkin is beautifully written, and the selections from his diary and letters give a vivid impression of a dedicated life.

Nightingale, B. *Early Stages of the Quaker Movement in Lancashire.* London. 1921. Pp. 220.

Written by a non-Friend. Of interest primarily to students of English religious and Quaker history. Reviewed in *The Friend* (London), 3 mo. 24, 1922, p. 207.

Robinson, Maude. *Nicholas the Weaver.* London: Swarthmore Press. 1922. Pp. 224. $1.75 cloth.

Here are ten more Quaker stories by Maude Robinson, whose former collection, "The Time of Her Life," proved so engaging to Friends everywhere.

Each story has a basis in fact and is designed to illustrate some virtue or some type of service emphasized in Friendly teachings.

The stories will charm and instruct all real children, young or old.

Simpson, Charles R. *The Quaker Challenge.* Friends' Bookshop, London, 1921. Pp. 12.

This pamphlet, which is a reprint of an article that appeared in *The Quaker* (Philadelphia), 10 mo. 14, 1921, deals with the attitude of Quakers throughout the history of their Society, to social problems, making it clear that Quakerism, though generally connected with ideas of peace-loving and philanthropy, is fundamentally a challenge to the conditions of our social life.

H. W. Peet.

Steiner, Edward A. *Old Trails and New Borders.* Chicago: Fleming H. Revell Company. 1921.

This book, dedicated to "my friends, 'The Friends,'" reviews much of the relief work of Friends in Europe and pictures post-war conditions in France, Germany, Austria, Czecho-Slovakia, Poland, and Russia.

Stephens, D. Owen. *With Quakers in France.* London: C. W. Daniel, Ltd. 1921. Pp. 336.

The author, a resident of Moylan, Pa., was not a Friend during his service in France, but has since then joined Swarthmore Monthly Meeting. He is an artist by instinct and training. This accounts for an appreciation of the beautiful, everywhere evident in his descriptions, and for the valuable sketches that illustrate and enliven the pages of his journal. The period covered is from 9 mo., 1917, to 3 mo., 1919.

This book is a welcome addition to the literature of the subject. It is historical source material of the better sort: "everything has been written within a day of its actual occurrence or telling, usually in the evening of the same day."

As a vivid, first-hand account for present day readers, and as documentary evidence for future historians, this volume is of great value.

Reviews in *The Friend* (Philadelphia), 1 mo. 19, 1922, p. 342; *Friends' Intelligencer,* 1 mo. 14, 1922, p. 24.

Warner, Ernest. *Jordans, A Quaker Shrine, Past and Present, with a Brief Outline of the Faith, Doctrine and the Practice of the Society of Friends.* London. 1921. Pp. 27. 1s.

Interesting, informing and inspiring is this little volume on Jordans. The historical part, filling more than two thirds of the volume, gives brief sketches of the history of the place, and of the lives of Penington, Ellwood, and William Penn. Then follows a succinct statement of the Quaker faith and practice.

All American Friends who have visited Jordans will want this little book, and others who read it will want to visit Jordans.

What the Churches Stand For. Oxford University Press. 1922. Pp. 112.

This is a series of lectures delivered in London by representatives of various religious denominations, each explaining what his particular denomination stands for.

The Society of Friends is worthily represented by Edward Grubb, and his lecture abounds in historical allusion and interpretation, explaining the present attitude of Friends in the light of the past. His first points of emphasis are the Friendly views of the true basis of Christian unity; of the Light within; of public worship and the sacraments. Then follows an account of how Friends have sought to express their ideal of an inward religious experience in their outward testimonies on such subjects as peace, slavery, Indian policy, etc.

Every Friend ought to read this book. Here is the Quaker faith in its contemporary setting among other worthy faiths.

See a review of Edward Grubb's lecture in the *Friends' Intelligencer*, 7 mo. 29, 1922, pp. 468–469.

Woodward, Walter C. *The Pageant of Earlham College, In Quest of Freedom*, 1922. Pp. 38.

This is the book of the pageant given at the 75th anniversary of Earlham College at Commencement, 1922. The story opens with the migration of Friends from the land of slavery (the Carolinas) to the land of freedom (Indiana): then comes the founding of Earlham College; the escape from the intellectual bondage of outworn dogmas; and the quest for freedom to follow conscience in the issues raised by the World War.

The author is a graduate of Earlham College, and a Doctor of Philosophy of the University of California. As might be expected from the hand of a trained historian, the pageant holds closely in most parts to the facts of history.

Those who saw the pageant enacted report that it was a most effective portrayal of the past.

English Friends are proposing to publish a new edition of the *Journal of George Fox* "based upon the first edition (1694) compared with the original manuscripts now first available, but with the omission of many of the letters and papers which have hitherto been attached to the Journal." It will be a popular edition, in one volume of about five hundred pages. It may not come from the press until 1924, the tercentenary anniversary of the birth of George Fox. Interested Friends in America will be pleased to learn that so efficient an editor as Norman Penney has been selected to prepare the manuscripts for the new edition.

A book on the *Mysticism of George Fox* by our late Friend Rachel Knight is announced for publication in the fall of 1922 by Allen and Unwin, London.

The Later Periods of Quakerism, by Rufus M. Jones, is reviewed by John Henry Barlow in *The Quaker,* 1 mo. 6, 1922, pp. 223–226; also by Edward Grubb in *The American Friend,* 11 mo. 17, 1922, pp. 928–929.

Information comes that Corder Catchpool's pamphlet, *Quakerism,* has been translated into French and Esperanto. Peter Manniche, Principal of the International People's College, at Elsinore, near Copenhagen, who is a former Woodbrooke student, has just agreed to translate it into Danish also.

NOTES AND QUERIES.

This number of the BULLETIN appears too late to add any fresh word to the reviews of the life and work of William Charles Braithwaite, as referred to in QUAKER NECROLOGY, below. His historical works have been reviewed in past numbers of this magazine, always with the highest praise. The following lines are from the pen of Sir George Newman:

> "William Braithwaite was a learned man. He had been brought up in a home where intellectual control and humanistic and classical learning were held in repute and almost in reverence. He held the Degrees of Bachelor of Arts and Bachelor of Laws in the University of London, and only a few weeks ago received an honorary degree in theology from the University of Marburg. But these academic honours did not represent the wealth of his learning. Classics and history were his strongest points, particularly the history of religious movements and especially Quakerism in the Seventeenth Century. His two volumes on *The Beginnings of Quakerism* and the *Second Period of Quakerism* are masterpieces of profound knowledge and exact workmanship. They will remain for all time as the standard works on this subject. Nothing like them had been written before, for they presented the case with consummate knowledge, and with amazing proportion and balance. Moreover, they were written in the truly scientific spirit and with a degree of impartiality, catholicity and scrupulous fairness unequalled by previous authors in this sphere. There were also certain regions of the Law and Equity in which his knowledge was extensive, as there were also innumerable by-paths where William Braithwaite's mind was quite at home."

The annual presidential address before the Friends' Historical Society (England) was delivered in London, 5 mo. 25, 1922, by Charles F. Jenkins, of Philadelphia, President for the year. The paper was entitled, "Tortola, A Forgotten Experiment in Quakerism in the Tropics." The story of this struggling group of Friends in the West Indies was illustrated by lantern slides and told by one who had visited in recent years the scene of the events narrated. The history involves the names of John Pickering,

Thomas Chalkley, John Cadwallader, John Estaugh, Dr. John C. Lettsom, and Dr. William Thornton.

The lecture will be published in full. A succinct summary of it is in *The Friend* (London), 62 (6 mo. 16, 1922) : 425.

Was Samuel Cunard, the late chairman of the Cunard Shipping Company, a Friend?

In *The Field* (London), 15 May, 1915, we are told that "Samuel Cunard, a Quaker from Halifax, Nova Scotia, was the originator of steam postal communication between America and Great Britain. The first departure under the mail contract was the *Britannia,* which sailed from England on Friday, July 4, 1840." The *Dictionary of National Biography* states that Sanuel Cunard (1787–1865) was the son of Abraham C., a merchant of Philadelphia, whose wife was a daughter of Thomas Murphy, and that he was probably born in Nova Scotia, but there is no mention of Quaker connection. He married in February, 1815, Susan, daughter of Wm. Duffus, of Halifax, Nova Scotia.

NORMAN PENNEY.

Attention is called to a further query by Norman Penney, at the close of the item concerning Warner Mifflin, page 84, above.

In connection with the recent exhibition in Philadelphia of portraits painted by Thomas Sully (see book review, p. 93 above), the following query is propounded by Albert Cook Myers:

"In 1825 Sully painted a portrait of the eminent Quaker minister, Jesse Kersey (1768–1845), for Elliott Cresson, of Philadelphia; in 1824 he painted. kit-kat, William Penn, from the statue in the yard of the Pennsylvania Hospital: Where are these paintings?"

Attention is called here to the note, p. 87 above, concerning the work of Albert Cook Myers in collecting and editing the writings of William Penn. The importance of this great task can scarcely be overstated, and our fellow member who is so untiring in his editorial effort should receive our unstinted encouragement and support.

By the gift of Mary Murray Ferris this Society has come into possession of a very old copy of an old Quaker story. It is a story of the remarkable escape of James Dickinson and Jane Fearon from a house of robbers on the borders of Scotland. The story was told in the *Friends' Quarterly Examiner,* 7 mo., 1917.

The seventy-fifth anniversary of the opening of Earlham College was celebrated at the commencement of 1922. The chief speaker was Herbert C. Hoover, Secretary of Commerce of the United States. The historical pageant, written by Walter C. Woodward, is mentioned above, p. 98. For a report of the entire program see *American Friend*, 6 mo. 15, 1922, p. 470.

The editor regrets that limitations of space make it necessary to postpone publication of Professor Harlow Lindley's valuable paper on the history of Indiana Yearly Meeting.

For historical purposes, it could be wished that the sessions of American Yearly Meetings were as fully reported in our Friendly periodicals as are those of London Yearly Meeting in the *Friend* (London). The abstracts of discussions will be especially helpful to future historians.

Philadelphia Yearly Meeting, 1922, prepared returning minutes for E. Maria Bishop and William Littleboy. An elderly Friend has stated that this is the first time in sixty years that a returning minute has been granted to a minister of London Yearly Meeting. Another innovation was the appointment of fraternal delegates to the Five Years' Meeting.

The editor of the BULLETIN truly regrets the discontinuance of THE QUAKER. Its pages contained an unusual amount of historical material.

C. Francis Jenkins, a Friend now residing in Washington, D. C., has gained renown as an inventor. His name will no doubt be permanently linked with the development of moving picture apparatus. For a basic invention in that process he was granted the Elliott Cresson Gold Medal in 1897, that being the highest award within the gift of the Franklin Institute, of Philadelphia. In 1913 he was given the John Scott Legacy Medal and Premium by the same Institute for a safer light to be used in moving picture machines.

QUAKER NECROLOGY.

ANDREWS, FREDERICK (1850–1922). "A Great Schoolmaster," acting as Headmaster of Ackworth School, England, for forty-three years, 1877–1920.—See *The Friend* (London), 4 mo. 14 and 21, 1922; also 4 mo. 28, 1922, with portrait. A biography in book form is in contemplation.

BOURBONNAIS, MARY ANDERSON (1840–1922). A prominent Christian leader and an elder among the Indian Friends of Oklahoma. Of the Pottawatomie tribe, and the last surviving charter member of the historic Shawnee Mission of Friends.—See *American Friend,* 7 mo. 13, 1922, p. 560.

BRAITHWAITE, WILLIAM CHARLES. Died 1 mo. 28, 1922, at Banbury, England, aged 59 years. Lawyer, banker, poet, theologian, historian. One of the great Quaker historians of his generation.—See *The Friend* (London), 2 mo. 3 and 10, 1922, the latter with portrait.

BROWN, ALBERT J. (1865–1922). Minister, business man, relief administrator in Europe. Sometime President of Wilmington College, Ohio.—See *The Quaker,* 3 mo. 31, 1922, pp. 289–290; *American Friend,* 4 mo. 13, 1922, with portrait.

CLOTHIER, ISAAC HALLOWELL (1837–1921). Merchant and philanthropist. A founder, with Justus C. Strawbridge, of the firm of Strawbridge and Clothier, Philadelphia. For a number of years President of the Board of Managers of Swarthmore College.—See the Philadelphia daily papers at the time of his death, 1 mo. 15, 1921; also *The Quaker,* 1 mo. 21, 1921, p. 236; *Friends' Intelligencer,* 1 mo. 29, 1921, p. 65 (portrait) and p. 75, and 2 mo. 5, 1921, pp. 91–92.

NAYLOR, ADDISON WOOD (1841–1921). Banker and philanthropist. One of the first Friends to attain business success in a large way on the Pacific Coast, and one who never neglected his duty to the Society of Friends.—See *Memorial of Addison Wood Naylor,* containing portrait. Biographical sketch in *American Friend,* 12 mo. 29, 1921, p. 1058.

This Society has recently met with a great loss in the death of James Emlen, of Germantown, one of the founders, whose interest was unflagging in everything which had to do with Quaker or local history. He was born in Philadelphia, 11 mo. 12, 1854, the son of Samuel and Sarah W. Emlen, and was a business man throughout life. He married, in 1877, Susan T. Thompson, who died after a short married life, leaving him with one son. His death occurred suddenly of a heart attack, 7 mo. 3, 1922. Interment was at Laurel Hill.